

Section Three

How the State will provide for programs for voter education, election official education training and poll worker training which will assist the State in meeting the requirements of Title III.

Voter Education

General Outreach

The fundamental goal of any electoral process, at any level of government, is to have the largest number of qualified voters turn out to vote, whether it be for the filling of public elective offices or the decision-making on public referenda. The more inclusive and participatory the process is, the stronger and more secure is our democratic form of government. This is clearly one of the goals of HAVA, to engage as many qualified voters in exercising the franchise. One of the ways to achieve this goal is through education. In New Jersey, there are currently some methods in place to reach out to voters. There are required newspaper notices to inform the electorate of an upcoming election, the related deadline for voter registration, the availability of absentee ballots and the challenge procedures in the polling places. Voters are also sent sample ballots immediately before each election: school, non-partisan municipal, primary and general. It has been suggested, however, that the sample ballot be redesigned to attract the attention of the voter. In the polling places on election day, State law requires that sample ballots be posted, and there must be written instructions outside of the voting machine for the voter to review before entering the booth.

While the current statutory procedures serve the public interest, voter education and outreach must be expanded to better utilize current mass marketing techniques and to do so on an uniform, statewide basis. It is a common practice for some of the counties to take advantage of free access cable television to disseminate electoral information. For example, some counties have utilized cable television to recruit district board workers and have also relied upon this medium to demonstrate the use of a voting machine that is being introduced into a county. The State will use public service announcements on the radio to advise the public of registration deadlines for upcoming elections.

This use of mass media, however, needs to be done on a broad, uniform basis throughout the entire State. Therefore, the Attorney General will promulgate guidelines regarding the use of public service announcements in various media and produce model announcements so that every citizen will receive notice no matter where he or she lives in the State. Such guidelines should also encourage the development of innovative outreach programs by county and local election officials, who will be most familiar with communication modes that may be unique to their populace.



The State, in conjunction with county election officials, could also provide voter information in such public forums as shopping centers, libraries and other facilities that are commonly frequented by our citizens. Eye-catching posters that are strategically placed in such areas can be an effective, yet relatively inexpensive means by which the State can advise the public of how to register to vote and the office to contact with any election-related questions or problems. Advertising on buses and trains can also be an effective media outreach to a large portion of our citizens.

There is also need for more-readily located and easier-to-read election websites at the State and local levels and for statewide use of cable television access. An “800” number should be established to provide voter information. The State should also design an official elections “logo” that can be used for “advertising” purposes. The State should also encourage and support programs, such as Freedom’s Answer, which are committed to educating and engaging our children, from grammar school through high school, in the electoral process. Several persons who spoke at the public hearings also advocated for better educating our school children, through civic courses in the schools, on the importance of active participation in the electoral process.

A comprehensive education and outreach program must also encompass the needs of those citizens with limited, or no, English language proficiency. The bottom line is that an effective voter education program must be framed within the various lifestyles and daily lives of our citizens. Also, it may be appropriate to consider if voter turn-out could be increased by providing for all mail-in voting for municipalities with a de minimis number of voters or for certain elections of narrower scope.

Outreach for Voters with Disabilities

There needs to be effective and appropriate outreach to individuals with disabilities. Any such program must be developed with the input of disability advocacy groups and other interested persons, to ensure that all stages of the voting process from registration to casting ballots will be fully accessible to individuals with disabilities. This sentiment was expressed repeatedly by speakers at the public hearings. The State may consider contracting with appropriate disability organizations to achieve these goals. Effective outreach may be done in a number of ways. First, election forms and notices must be available in alternate formats, such as large print, braille and TDD. Newspaper notices as to upcoming elections or absentee ballot availability should include a telephone number where voters can get information as to alternate formats of election materials.

It has also been suggested that such notices be provided to interested organizations that have regular dealings with persons with disabilities. As detailed in Section One of this Plan, the voter registration application should be modified to accommodate the needs of voters with disabilities. Sample ballots should not only be available in alternate formats, but should include information about the availability of absentee ballots or how a voter can be assigned to an accessible polling place if the polling place for her election district is not currently accessible. Some of these recommendations may require legislative enactments.

Notice for Persons with Restored Voting Rights

There should also be a requirement that any person whose voting rights have been restored, because that person is no longer subject to a criminal disqualification to voting, should be specifically advised of the right to register to vote. Under current law, if a person is serving a sentence of imprisonment or is on probation or parole as a result of a conviction for an indictable offense under any State or federal law, that person cannot register to vote or, if registered, is automatically removed from the registry list. There is currently no requirement of notice of the restoration of the right to participate in the electoral process after such person is no longer subject to disqualification upon completion of the criminal penalty.

Legislation should be enacted to require the appropriate public officials to so notify these individuals as part of the State's effort to further the goal of HAVA to enable and encourage all qualified citizens to exercise their right to vote. Specific notice should be provided to these citizens who may otherwise believe themselves still excluded from the electoral process. Such notice would also serve the State interest of having such individuals fully re-enter and assimilate back into society. At one of the public hearings, this procedure was endorsed by a constitutional lawyer who has represented clients in such situations.

New Voting Systems Education

In anticipation of new voting systems being introduced into several counties, an organized and broad-reaching plan must be developed and implemented to educate voters on the proper use of the machines before their first official use. At the local level, there will need to be public demonstrations of the new machines at such locations as schools, municipal buildings and shopping malls. In addition, there will need to be voting system demonstrations provided with the coordination of such non-profit groups as the League of Women Voters, senior citizen groups such as the AARP, and other civic groups. Such demonstrations may be particularly critical for some long-time voters who have been voting on the antiquated lever machines for all of their voting years and who may be uncomfortable with computerized technology. For voters with disabilities, alternate forms of communication must be developed which will enable them to independently use the new voting systems.

Election Official Training

In New Jersey, primary responsibility for the conduct of elections lies in several different offices at the county level. In each county, it is the County Clerk who designs and prints the ballot and who is responsible for the review and issuance of absentee ballots applications and the issuances thereof. The County Clerk is also the filing officer for nomination petitions for county offices in the June primary election, as well as for independent petitions for local and county offices for the November general elections. The office of the County Clerk is an elected position.

By law, in ten of the State's counties, there is an office of County Superintendent of Elections. This official is appointed by the Governor with the



advice and consent of the State Senate for a five-year term. The County Superintendent serves as the Commissioner of Registration and custodian of the voting machines and is vested with law enforcement powers regarding any violations of election law.

In each of the twenty-one counties, there is a County Board of Election, which is comprised of four members on an even bipartisan basis. These Boards appoint the district board workers (also commonly known as poll workers), certify the use of polling places; count the absentee and provisional ballots, and act as the County Board of Canvassers to generally certify county and municipal election results. Board of Election members are typically appointed by their respective county political party leaders, whose two-year appointments are then commissioned by the Governor.

None of these county election officials or their staff currently receives formal, certified training. This contrasts with the municipal clerks, who must be certified under State law through a series of educational classes on all subject matters for which they are responsible. This education requirement is an ongoing obligation, conducted on a yearly basis. The county election officials, however, through their respective State organizations, do regularly convene for educational conferences. The Attorney General, who, on a daily basis, represents the County Superintendents of Elections and the County Boards of Election, routinely has members of his legal staff lecture at such gatherings, which are statewide as well as regional. In addition, the Attorney General, as required, issues instructional memoranda to these county officials on a general basis and to individual offices, as necessary.

To better prepare election officials to carry out their statutory duties, however, the State must develop and implement educational programs for these officials and key administrative support staff in the election offices, similar to that which is now required for municipal clerks, county tax board members and housing authority board members and executive directors. Any training program should include both initial training and provisions for continuing education to maintain qualifications and to keep up with new developments and requirements. Training materials and programs must include information about disability issues developed with input from appropriate disability organizations.

The Attorney General intends to advocate for legislation that would establish a mandatory certification program for election official training.

Poll Worker Training

Pursuant to current State law, all poll workers are required to receive training every two years. The respective County Boards of Election are responsible to carry out this mandate. The County Board must develop its own individual program, as there are no uniform, statewide procedures for training.

The training is typically offered in a classroom format, with the workers receiving lectures on election law and procedures. There are also voting machine demonstrations. The size of the class and the style of presentation are determined by the individual County Board. For example, some Boards use power point slides along with a lecture, while other County Board classes are strictly tutorial. Each

three

County Board issues its own board worker manual which the workers will usually have with them in the polling place on an election day.

In order to determine whether the County Board training for the district board workers is sufficient, the Attorney General intends to develop, with input from the county election officials, uniform guidelines for training. The Attorney General will also prepare a standard manual to be provided to all board workers in the State, with the one exception to uniformity being the section on voting machines, as not all the Counties presently or in the future will have the same voting system. As with proposed county election officials' training, the training for board workers must include information about voters with disabilities as provided by input from appropriate disability organizations.

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